

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GUOXIN SHAO,
Plaintiff,
v.
U.S. CITIZENSHIP AND IMMIGRATION
SERVICES,
Defendant.

ORDER
22 Civ. 6553 (JPO)

WHEREAS, on September 16, 2022, the Court ordered the plaintiff to clarify by September 30, 2022, whether he is represented by counsel, given that the complaint listed the phone number and email address of an attorney, Mouren/Morris Wu, and if he is not represented by counsel, to provide his contact information (ECF Nos. 7-8);

WHEREAS, the plaintiff did not respond to the Court's September 16, 2022 order;

WHEREAS, the Court issued an order on October 17, 2022, stating that if the plaintiff failed to provide the requested information by October 31, 2022, the action may be dismissed for failure to prosecute (ECF No. 11);

WHEREAS, the plaintiff has not responded to the Court's October 17, 2022 order;

WHEREAS, the plaintiff's failure to prosecute this action has caused a delay of significant duration, and the Court's October 17, 2022 order constituted sufficient notice that further delay would result in dismissal;

WHEREAS, the government will likely be prejudiced by further delay;

WHEREAS, the plaintiff does not appear interested in pursuing the case; and

WHEREAS, there is no sanction short of dismissal without prejudice that would remedy the plaintiff's failure to prosecute this action;

IT IS HEREBY ORDERED that this action be, and hereby is, dismissed without prejudice for failure to prosecute or follow a Court order, pursuant to Federal Rule of Civil Procedure 41(b). The Clerk is respectfully directed to enter judgment dismissing this case without prejudice and to serve this Order on Plaintiff by mail.

SO ORDERED.

Dated: New York, New York

December 13, 2022



J. PAUL OETKEN
United States District Judge